

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND**

In Re:

JAMES MICHAEL GRISBY

Debtor

Case No. 09-29705 TJC
Chapter 13

TRUSTEE'S OBJECTION TO CONFIRMATION

Nancy Spencer Grigsby, Chapter 13 Trustee in the above-captioned case ("Trustee"), pursuant to section 1325, generally, of the Bankruptcy Code and Bankruptcy Rule 3015 (f) objects to confirmation of the Debtor(s) Chapter 13 plan. In support of her motion, the Trustee respectfully represents the following:

1. This Chapter 13 case was filed on October 14, 2009. The Debtor's Chapter 13 plan was filed October 29, 2009. The Plan calls for payments of \$1,052.00 per month for 60 months.
2. The Debtor has failed to make the payments proposed under the Plan. At this time, two payments are due in the total amount of \$2,104.00. The Trustee has received \$1,052.00. Accordingly, the Debtor has not demonstrated that the Plan is feasible.
3. The Debtor has failed to provide documentation supporting the rental income listed in Schedule I as requested by the Trustee at the meeting of creditors. Accordingly, the Trustee cannot determine whether the Plan is feasible or whether all projected disposable income is dedicated to plan payments.
4. The Debtor is self-employed. At the meeting of creditors, the Trustee requested business reports with corresponding bank statements, which have

not been received as of this date. Accordingly, the Trustee cannot determine whether the Plan is feasible.

5. The Debtor was to file an Amended Plan to indicate that the Silver Spring property has been surrendered and to state that all non-exempt tax refunds will be dedicated to the Plan. As of this date, no Amended Plan has been filed.
6. There is a pending motion to avoid the second Deed of Trust the hearing is set for February 4, 2010.
7. The Debtor has failed to file a pre-confirmation certification pursuant to Administrative Order 06-01.

WHEREFORE, the Trustee cannot recommend confirmation of the Plan.

January 4, 2010

Respectfully submitted,

/s/Nancy Spencer Grigsby

Chapter 13 Trustee

4201 Mitchellville Rd, Ste 401

Bowie, Maryland 20716

(301) 805-4700

ngrigsby@ch13md.com

mmclean@ch13md.com

CERTIFICATE OF SERVICE

I hereby certify that the Objection to Confirmation was served this 4th day of January, 2010 electronically to those recipients authorized to receive a Notice of Electronic Filing by the Court, and/or first class mail, postage prepaid to:

James Michael Grisby
14211 Arctic Avenue
Rockville, MD 20853
Debtor(s)

Justin M. Reiner
4833 Rugby Avenue, 4th Floor
Bethesda, MD 20814
Debtor(s) Counsel

/s/Nancy Spencer Grigsby
Chapter 13 Trustee